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ORDINANCE 22-01

STR ZONING CODE REVISIONS

BOARD OF COMMISSIONERS
APRIL 13, 2022

ZONING

- Addressed in the *Land and Water Development and Use Code* (LAWDUC)
- Establishes level of approval needed:
 - **Type I:** Over the counter
 - **Type II:** Public notice, no public hearing
 - **Type IIA:** Public notice, published notice; property posted; public hearing
- WHERE an STR is operated, not how
- Currently, LAWDUC only specifically calls out STRs as a permitted use in the Arch Cape Rural Community Residential Zone (AC-RCR)
- LAWDUC was not updated to include STRs in other zoning districts when Ordinance 18-01 was originally adopted

FEBRUARY 16 BOC WORK SESSION

DIRECTION TO STAFF:

- Add STRs as a Type I use in all zones where a single-family dwelling is permitted. This means no public notice prior to issuing the permit and no public hearing.
- Repeal Sections 5.4900-5.4970, LAWDUC, which are the Arch Cape STR standards (the standards will be added to the Clatsop County Code)
- Change Section 4.0620, LAWDUC, to reflect that Arch Cape STR operating standards have been moved to the Clatsop County Code

NOTE: STRs cannot be permitted in farm/forest zones because it is not permitted by ORS

MARCH 8 PLANNING COMMISSION PUBLIC HEARING

PLANNING COMMISSION RECOMMENDATIONS:

- **Allow STRs in the AC-RCR, TC, GC, NC, RCC, RSA-MFR, and RC-MFR zones as a Type IIA use** (Approved 5-2, with Planning Commissioners Kraushaar and Johnson dissenting)
- **Support staff recommendations, but establish a limit on the number of future STRs at a level to be determined** (Motion failed 3-4, with Planning Commissioners Orr, Farrar, Powers, and Gardner dissenting)
- **Repeal Sections 5,4900-5.4970 and revise Section 4.2620(12), LAWDUC** (Approved 7-0)

Ordinance 22-01 has been drafted based upon the recommendations made by staff

ORDINANCE 22-01

RECOMMENDATION COMPARISON MATRIX		
	ORDINANCE 22-01 / STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
PROPOSED AMENDMENT	Allow STRs in the following zones: <ul style="list-style-type: none"> • AC-RCR • TC • GC • NC • RCC • RSA-MFR • RC-MFR • RCR • KS-RCR • RSA-SFR • CBR • CR • SFR-1 • RA-1 • RA-2 • RA-5 • RA-10 	Allow STRs in the following zones: <ul style="list-style-type: none"> • AC-RCR • TC • GC • NC • RCC • RSA-MFR • RC-MFR
PROPOSED AMENDMENT	Allow STRs as a Type I use: <ul style="list-style-type: none"> • no public notice; • no public hearing • included in \$550 STR permit application fee 	Allow as a Type IIA use: <ul style="list-style-type: none"> • mandatory public hearing • \$1,500 non-refundable application fee in addition to \$550 STR permit fee; • published notice; • mailed public notice; • sign posted on property; • applicant-neighborhood meeting (optional)
PROPOSED AMENDMENT	Repeal Sections 5.4900-5.4970	Repeal Sections 5.4900-5.4970
PROPOSED AMENDMENT	Revise Section 4.0620(12) to indicate that the operating standards have been transferred to the Clatsop County Code	Revise Section 4.0620(12) to indicate that the operating standards have been transferred to the Clatsop County Code

ORDINANCE 22-01

POTENTIAL FISCAL IMPACTS:

- **Community Development Additional Costs:**
 - Staff Time: \$22,330
 - Hearings Officer: \$15,939
 - Yard Signs: \$4,235
 - Postage: \$1,059
 - Newspaper Legal Ads: \$11,935-\$19,250
 - TOTAL: \$55,498-\$62,813
 - ADDITIONAL COST PER CASE: \$721-\$816
 - Staff would recommend that all additional Community Development costs be passed through to the applicant.
- **Transient Room Tax Revenue:**
 - Estimated \$499,181 based on FY 19/20 reported TRT
- **Applicant Costs:**
 - \$1,500 Conditional Use Application Fee
 - \$721-\$816 additional hearing costs

PUBLIC TESTIMONY

Since March 8, 2022, 94 written comments have been received

- **Written Public Comments:**
[Short-Term Rental Ordinance Revisions | Clatsop County Oregon](#)
- **97 written comments have been received since the March 8 Planning Commission meeting**
- **All written public comments and testimony provided at tonight's hearings will become part of the public record**

RECOMMENDATION

- **Conduct the first reading of Ordinance 22-01 as submitted**
- **Open the public hearing and take testimony**
- **Continue the matter to April 27, 2022**
- **If the Board wants to conduct further analysis, review and revision of the zoning amendments currently in this ordinance; those could be removed from Ordinance 22-01 prior to second reading**
- **This would allow the repeal of the Arch Cape operating standards to proceed to a second public hearing**

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QUESTIONS?

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